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2823

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	<b>Application Number</b>	09/813,304	
	<b>Filing Date</b>	March 21, 2001	
	<b>First Named Inventor</b>	Katsunori NISHII et al.	
	<b>Group Art Unit</b>	2823	
	<b>Examiner Name</b>	Fernando L. Toledo	
<b>Total Number of Pages in This Submission</b>		<b>Attorney Docket Number</b>	740819-529

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Grant <input checked="" type="checkbox"/> Other - Response to Restriction/Election Requirement
<b>Remarks</b>		<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

<b>Firm or Individual name</b>	<u>Donald R. Studebaker, Reg. No. 32,815</u> Nixon Peabody LLP 8180 Greensboro Drive Suite 800 McLean, VA 22102
<b>Signature</b>	
<b>Date</b>	July 26, 2002

**CERTIFICATE OF MAILING**

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<b>Type or printed name</b>	Jeannie Saxton
<b>Signature</b>	
<b>Date</b>	July 26, 2002

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Docket No. 740819-529  
Serial No. 09/813,304  
Page 1

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In re Patent Application of:

Katsunori NISHII et al.

Serial No. 09/813,304

Filed: March 21, 2001

For: SEMICONDUCTOR DEVICE AND  
METHOD OF FABRICATING THE  
SAME

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Group Art Unit: 2823 TECHNOLOGY CENTER 2800

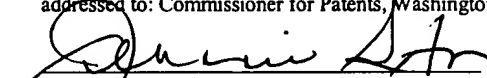
Examiner: Fernando L. Toledo

Date: July 26, 2002

#6/Election  
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Jeannie Saxton

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Commissioner for Patents  
Washington, D.C. 20231

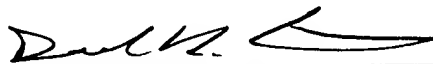
Sir:

In response to the Office Action July 9, 2002, Applicants provide the following election.

Applicants hereby elect Group I directed to claims 1-6, drawn to a device.

Should the Examiner believe a further conference would be of benefit in expediting the prosecution of the instant application, he is hereby invited to telephone counsel to arrange such a conference.

Respectfully submitted,



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Registration No. 32,815

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